

1 REMARKS

2 Status of the Claims

3 Claims 1-36 are pending in the application. No amendments have been entered in this
4 response.

5 Claims Rejected under 35 U.S.C. § 102(e)

6 The Examiner has rejected Claims 28, 30-33 and 35-36 as being anticipated by Rubin et al.
7 (U.S. Patent No. 6,393,443 hereinafter referred to as "Rubin"). The Examiner asserts that Rubin
8 describes each element of applicants' claimed invention. Applicants respectfully disagree for the
9 reasons noted below.

10 In the interest of reducing the complexity of the issues for the Examiner to consider in this
11 response, the following discussion focuses on independent Claims 28, 33, 1, and 15 (in that order).
12 The patentability of each dependent claim is not necessarily separately addressed in detail. However,
13 applicants' decision not to discuss the differences between the cited art and each dependent claim
14 should not be considered as an admission that applicants concur with the Examiner's conclusion that
15 these dependent claims are not patentable over the cited references. Similarly, applicants' decision
16 not to discuss differences between the prior art and every claim element, or every comment made by
17 the Examiner, should not be considered as an admission that applicants concur with the Examiner's
18 interpretation and assertions regarding those claims. Indeed, applicants believe that all of the
19 dependent claims patentably distinguish over the references cited. However, a specific traverse of the
20 rejection of each dependent claim is not required, since dependent claims are patentable for at least
21 the same reasons as the independent claims from which the dependent claims ultimately depend.

22 Discussion of the Rejection of Independent Claim 28

23 With regard to independent Claim 28, significant differences exist between Rubin and
24 applicants' invention with regard to invalidating an update region of the electronic display and
25 forcing a re-rendering of the data to the update region.

26 With respect to applicants' step (b), there are at least two significant differences relative to
27 Rubin: (1) the update region is defined by applicants' claim as a function of the cursor location in the
28 electronic display; and, (2) the update region of the electronic display is invalidated. The Examiner
29 asserts that Rubin discloses the recitation in applicants' step (b) with reference to the following
30 citations (the portion cited by the Examiner is highlighted in bold font):

1 "There is also provided in accordance with a preferred embodiment of the
2 present invention a computerized translator including:

3 **a character recognition module which is operative to detect a string of**
4 **characters displayed at a first region on a display which is selected by a user, and**
5 **to determine, in the string of characters, a word written in a first language;**

6 **a computerized dictionary data base; and**

7 **a processor coupled to the character recognition module and to the**
8 **computerized dictionary data base, and operative to determine whether there is**
9 **an entry for the word in the computerized dictionary data base, to retrieve from**
10 **the computerized dictionary data base a translated word, representing a translation of**
11 **the word in a second language, and to display the translated word at a second region**
12 **on the display"** (Rubin, column 4, lines 27-43).

13 In addition, under the section entitled, "Response to Arguments in the Office Action," the
14 Examiner asserts that Rubin determines the location of a cursor on a display, and indicates that upon
15 making this determination, the area is invalidated based on information that is displayed there. The
16 Examiner notes that Rubin discloses:

17 "Once the text is displayed on the display, the user may place a mouse pointer
18 (not shown in a FIG. 1) at a region on the display, such as the first region on the
19 display. If the mouse pointer is placed to point the first region, and is not moved for a
20 pre-selected period of time, such as for 5 seconds, the contents of the first region is
21 preferably **analyzed** as described hereinafter" (Emphasis added, Rubin, column 9,
22 lines 39-46).

23 With respect to the first portion of step (b), i.e. "that the update region is defined as a function
24 of the cursor location in the electronic display," the Examiner appears to be asserting from the
25 column 9 citation that applicants' update region is equivalent to Rubin's first region, which is a
26 function of cursor location, because placing a mouse pointer at a region and not moving it for a
27 specific interval of time causes the first region of the electronic display to be analyzed. Even if,
28 *arguendo*, the Examiner is correct in reaching that conclusion with regard to the first portion of
29 step 9b), with respect to the second portion of step (b), i.e., "that the update region of the electronic
30 display is invalidated," Rubin fails to teach or suggest that the first region is invalidated. *Analyzing*
Rubin's first region is not equivalent to *invalidating* applicants' update region.

"Invalid" means erroneous or unrecognizable because of a flaw in reasoning or an error in
input (Microsoft Computer Dictionary, Fourth Edition). And discussed in greater detail below, the
meaning of applicants' term "invalidating" is also implied from the language of steps (b) and (c) in

1 applicants' Claim 28. "Invalidating" is an action applied to an update region, as recited in step (b)
2 such that, as recited in step (c), the operating system output module is forced to re-render the data to
3 the update region. Thus, an event is occurring in the update region such that the data are once more
4 being rendered to the electronic display in the update region. In contrast to *invalidating*, Rubin
5 simply teaches *analyzing* a portion of the first region of the electronic display, as is evident in
6 column 9 of this cited art. Specifically, Rubin teaches that analysis involves determining what is
7 contained in the first region. If the first region is a blank area, a message stating "NO TEXT HERE"
8 is displayed at the second region on the display (Rubin, column 9, lines 47-48). In the alternative, if
9 text is found, the text is analyzed to determine the existence of a string of characters (Rubin,
10 column 9, lines 59-62) via a character recognition module. Thus, the detected characters are
11 recognizable as words or phrases (Rubin, column 10, lines 3-5). If a word cannot be found in the
12 databases (such as a dictionary, thesaurus, and a misspelled word dictionary) a message (i.e., a term
13 corresponding to the analytical results) is displayed reciting that no entry is available for this word
14 (column 10, lines 21-24), and no further *analysis* of the word is performed. If the word is found in
15 the misspelled word dictionary, a message indicating that the word is misspelled is preferably
16 displayed at the second region (Rubin, column 10, lines 26-28). Thus, analyzing the first region
17 wherein the analytical results from a database are provided in the form of a message is not similar at
18 all to invalidating (i.e. causing some error in input) in the update region.

19 With respect to applicants' step (c), note that there are at least two claim limitations: (1)
20 forcing the operating system output module to re-render the data; and (2) that the data is re-rendered
21 to the update region. The Examiner asserts that Rubin clearly teaches output modules carrying out
22 processing steps for determining displayed data, wherein this data are processed and then, based on
23 results of this processing, the data are further re-rendered to the update region, wherein text
24 information related to the text scanned is retrieved from databases and further displayed or re-
25 rendered by the output modules. The Examiner provides the following citation in support of his
26 assertion (with the portion cited by the Examiner highlighted):

27 "If the word is found in the computerized misspelled dictionary data base 24, a
28 message indicating that the word is misspelled is preferably displayed at the **second**
29 **region** on the display, *and a correctly spelled word which corresponds to the word*
30 *replaces the word for further analysis*. It is appreciated that the output of the searches
in any of the data bases 18, 20, 22 and 24 results in a word which is correctly spelled

1 irrespective of the current data base selected” (Emphasis added; Rubin, column 10,
2 lines 25-32).

3 Rubin thus teaches that the analytical results are displayed (rendered) to the screen, as
4 indicated in the above citation to column 10. However, note that the analytical results are not being
5 *re-rendered* to the screen. And even if the analytical results were being re-rendered to the screen, it
6 is applicants’ data (i.e. data is data displayed near the cursor location as recited in the preamble) that
7 applicants are re-rendering, not analytical results.

8 With respect to the second claim limitation, even assuming, *arguendo*, that the misspelled
9 word is equivalent to applicants’ data, note that the above citation to column 10 states “a correctly
10 spelled word which corresponds to the word replaces the word for further analysis.” And this portion
11 of the disclosure is silent on where the originally misspelled word in the first region is being replaced
12 with a correctly spelled word. However, Rubin then discloses that if the word was found to be
13 misspelled, as noted above, the correctly spelled word, which corresponds to the misspelled word is
14 displayed at a *fourth region* on the display. This fourth region may be located anywhere on the
15 display (Rubin, column 10, lines 61-66). But the fourth region is different from the first region.
16 Thus, there is no teaching that a re-rendering of the originally misspelled word takes place in the first
17 region. In other words, even if Rubin teaches data being re-rendered, Rubin does not teach or suggest
18 that the data are re-rendered to the first region of the display. The re-rendering in applicants’ step (c)
19 must be to the update region, which is the same region that was invalidated in applicants’ step (b).

20 Accordingly, the rejection of independent Claim 28 under 35 U.S.C. § 102(e) over Rubin
21 should be withdrawn, for the reasons given above, since Rubin does not teach or suggest all of the
22 recitation of independent Claim 28.

23 Claims 30-32 ultimately depend from independent Claim 28. Because dependent claims
24 inherently include all of the steps or elements of the independent claim from which the dependent
25 claims ultimately depend, dependent Claims 30-32 are patentable for at least the same reasons
26 discussed above with regard to independent Claim 28. Accordingly, the rejection of dependent
27 Claims 30-32 under 35 U.S.C. § 102(e) over Rubin should be withdrawn.

28 Discussion of the Rejection of Independent Claim 33

29 Independent Claim 33 is directed towards a system for capturing data displayed near a cursor
30 location and recites subparagraphs (c)(ii) and (iii) that are similar to steps (b) and (c) of independent

1 Claim 28, as discussed above. The Examiner has rejected these steps for the same reasons as the
2 rejection of the steps of independent Claim 28. Thus, for reasons similar to those given above in
3 conjunction with independent Claim 28, independent Claim 33 distinguishes over Rubin because
4 Rubin does not invalidate an update region of the electronic display and does not force a re-rendering
5 of data to the update region. Accordingly, the rejection of independent Claim 33 under
6 35 U.S.C. § 102(e) over Rubin should be withdrawn, based on the reasons given above in regard to
7 Claim 28, since Rubin does not teach or suggest all of the elements of independent Claim 33.

8 Claims 35-36 ultimately depend from independent Claim 33. Because dependent claims
9 inherently include all of the steps or elements of the independent claims from which the dependent
10 claims ultimately depend, dependent Claims 35-36 are patentable for at least the same reasons
11 discussed above with regard to independent Claim 33. Therefore, the rejection of dependent
12 Claims 35-36 under 35 U.S.C. § 102(e) over Rubin should be withdrawn

13 Claims Rejected under 35 U.S.C. § 103(a)

14 The Examiner has rejected Claims 1, 3-15, and 17-27 under 35 U.S.C. § 103(a) as being
15 unpatentable over Rubin and further in view of Frank et al. (U.S. Patent No. 5,651,107 hereinafter
16 referred to as "Frank"). In addition, the Examiner has rejected Claims 29 and 34 under 35 U.S.C.
17 § 103(a) as being unpatentable over Rubin and further in view of "The Portable Executable File
18 Format" by Johannes Plachy (hereinafter referred to as "Plachy"). Furthermore, the Examiner has
19 rejected Claims 2 and 16 under 35 U.S.C. § 103(a) as being unpatentable over Rubin and further in
20 view of Frank and the "Microsoft Computer Dictionary Fifth Edition," by Microsoft Press
21 (hereinafter referred to as "Microsoft"). Applicants respectfully disagree for the reasons discussed
22 below.

23 Discussion of the Rejection of Independent Claim 1

24 Significant differences exist between applicants' claims and Rubin with regard to re-rendering
25 the text to the target window in an update region and determining a primary word from the re-
26 rendered text.

27 In applicants' step (b) of Claim 1, the text is re-rendered to an update region that includes the
28 cursor location. The Examiner has asserted that Rubin teaches applicants' step (b) and cites
29 FIGURE 3. But note that as stated in the claim preamble, applicants' method is directed to delivering
30 content related to *text* appearing in the display. As recited in step (b), this text is re-rendered to the

1 target window. However, Rubin does not teach or suggest re-rendering of text in an update region
2 that includes the cursor position. FIGURE 3 discloses (a) displaying text; (2) pointing to a word; and
3 (3) operating a text-drawing function provide a bounding rectangle in the word appears. But it does
4 not appear that providing a text-drawing function to provide the bounding rectangle “re-renders the
5 text to the target window in an update region that includes the cursor location,” as recited by the
6 claim. Instead, Rubin simply produces the bounding rectangle around the word to which the user
7 pointed. In addition, Rubin teaches that “a correctly spelled word which corresponds to the word
8 [i.e., the word to which the user pointed] replaces the word for further analysis” (Rubin, column 10,
9 lines 27-30). But this function is not a re-rendering of the original text (i.e., the originally misspelled
10 word) either, but instead corresponds to replacing the selected word on the display with modified text
11 (i.e., with the correctly spelled word).

12 With respect to applicants’ step (c), note that it includes at least two claim limitations (1) that
13 a primary word is determined and (2) that this determination occurs from the re-rendered text.
14 However, the Examiner asserts that Rubin discloses this step and cites to the following portion of
15 Rubin:

16 placing a pointer at a first region on a display;
17 detecting a string of characters displayed in the first region;
18 determining, in the string of characters, a word written in a first language by
19 identifying an entry for the word in a computerized dictionary data base;
20 obtaining a translated word, representing a translation of the word in a second
21 language, from the computerized dictionary data base; and
22 displaying the translated word at a second region on the display (Rubin,
23 column 1, lines 39-50).

24 The Examiner has not made it clear which part of this citation is the equivalent of the
25 “determining a primary word” in applicants’ claim, step (c). But the above citation refers to a *word*
26 that is derived from the string of characters and a *translated word* that is the translation of the *word*
27 into another language. However, neither the *word* nor *translated word* corresponds to re-rendered
28 text, as recited by applicants’ step (b) of this claim. It is that Examiner appreciate the difference
29 between rendering text (e.g., as a translation of the original word selected) and re-rendering text that
30 was originally selected. The string of characters is what was originally displayed or rendered. Then,
Rubin teaches displaying a translated word. The translated *word* is obviously different from the *word*

1 originally displayed. Thus, this translated word is being rendered to the display for the first time and
2 the original word is not being re-rendered.

3 Accordingly, the rejection of independent Claim 1 under 35 U.S.C. § 103(a) over Rubin and
4 further in view of Frank should be withdrawn, for the reasons given above, since Rubin and Frank do
5 not teach or suggest all of the recited steps of independent Claim 1.

6 Claims 3-14 ultimately depend from independent Claim 1. Because dependent claims
7 inherently include all of the steps or elements of the independent claim from which the dependent
8 claims ultimately depend, dependent Claims 3-14 are patentable for at least the same reasons
9 discussed above with regard to independent Claim 1. Accordingly, the rejection of dependent
10 Claims 3-14 under 35 U.S.C. § 103(a) over Rubin and further in view of Frank should be withdrawn.

11 Discussion of the Rejection of Independent Claim 15

12 Independent Claim 15 that is directed towards a system for automatically delivering electronic
13 content related to text appearing in a display recites functions (e)(ii) and(iii) that are similar to the
14 steps of independent Claim 1. Thus, for reasons similar to those noted above in connection with
15 independent Claim 1, independent Claim 15 distinguishes over Rubin and further in view of Frank,
16 because Rubin and Frank do not re-render the text to the target window in an update region and do
17 not determine a primary word from the re-rendered text.

18 Accordingly, the rejection of independent Claim 15 under 35 U.S.C. § 103(a) over Rubin and
19 further in view of Frank should be withdrawn, for the reasons given above, since Rubin and Frank do
20 not teach or suggest the recitation of independent Claim 15.

21 Claims 17-27 ultimately depend from independent Claim 15. Because dependent claims
22 inherently include all of the steps or elements of the independent claim from which the dependent
23 claims ultimately depend, dependent Claims 17-27 are patentable for at least the same reasons
24 discussed above with regard to independent Claim 15. Accordingly, the rejection of dependent
25 Claims 17-27 under 35 U.S.C. § 103(a) over Rubin and further in view of Frank should be
26 withdrawn.

27 Discussion of the Rejection of Dependent Claims 29 and 34

28 Claims 29 and 34 ultimately depend from independent Claim 28 and 33, respectively.
29 Because dependent claims inherently include all of the steps or elements of the independent claim
30 from which the dependent claims ultimately respectively depend, dependent Claims 29 and 34 are

1 patentable for at least the same reasons discussed above with regard to independent Claims 28
2 and 33. Accordingly, the rejection of dependent Claims 29 and 34 under 35 U.S.C. § 103(a) over
3 Rubin and further in view of Plachy should be withdrawn.

4 Discussion of the Rejection of Dependent Claims 2 and 16

5 Claims 2 and 16 ultimately depend from independent Claims 1 and 15, respectively. Because
6 dependent claims inherently include all of the steps or elements of the independent claims from
7 which the dependent claims ultimately respectively depend, dependent Claims 2 and 16 are
8 patentable for at least the same reasons discussed above with regard to independent Claims 1 and 15.
9 Accordingly, the rejection of dependent Claims 2 and 16 under 35 U.S.C. § 103(a) over Rubin and
10 further in view of Frank and further in view of Microsoft should be withdrawn.

11 In view of the Remarks set forth above, it will be apparent that the claims remaining in this
12 application define a novel and non-obvious invention, and that the application is in condition for
13 allowance and should be passed to issue without further delay. Should any further questions remain,
14 the Examiner is invited to telephone applicants' attorney at the number listed below

15 Respectfully submitted,

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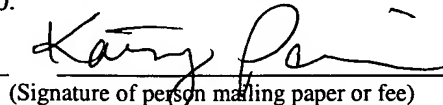
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